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2024:PHHC:092436

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-34944 of 2024
DECIDED ON: 23.07.2024

Ranbir Singh and another

.....PETITIONERS

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr.Ravinder Malik, Advocate
for the petitioner.
Ms.Neelam Chaudhary, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioners in FIR No.305 dated 15.05.2024 registered under Sections 420/467/468/471 IPC, Section 120-B IPC added lateron, registered at Police Station Samalkha, District Panipat (Annexure P-1).

2. Learned counsel for the petitioners contends that the instant dispute is civil in nature and has given the colour of criminal liability and in fact, no material has been put forth to show the deceitful intention of the petitioner at the very inception in the agreement to sell entered into between the parties on 11.01.2024 qua a piece of land measuring 2 kanal 15 marla of land situated within the Municipal Limit of Samalkha for a total consideration of Rs.14,70,000/-.

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3. Learned counsel for the complainant at the same time, has stated that the petitioners are the main accused and they have prepared a false agreement to sell, being the only beneficiary out of the said sale transaction and they do not deserve the concession of anticipatory bail.

4. Notice of motion.

5. On the asking of the Court, Mr. B.S.Virk, Sr. DAG, Haryana, who is present in Court, accepts notice on behalf of the State-respondent. Though the State counsel could not make out a case for custodial interrogation at this stage since the veracity of agreement to sell is to be attested which is a documentary in nature and as such this Court is also of the considered view that it is not required for custodial interrogation at this stage.

6. In the light of the above, present petition is allowed with a direction to the petitioner to join the investigation within one week, subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The Petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by the Court shall automatically stands cancelled.

7. The petition in the aforesaid terms disposed of.

(SANDEEP MOUDGIL)
JUDGE

23.07.2024
sd

Whether speaking/reasoned Yes/No
Whether reportable Yes/No

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